

August 18, 2015

At a regular meeting of the Board of County Commissioners, Washington County Colorado, held at the Courthouse in Akron, Colorado on Tuesday the 18th day of August 2015, there were present:

Terry Hart, Chairman	present
David Foy, commissioner	present
Lea Ann Laybourn, commissioner	present
Garland Wahl, clerk of the board	present
Peter 'Larry' Vana, county attorney	present

Commissioner met at the Washington County Clinic.

Invocation was given by Father Marek Ciesla, Saint Joseph Church

The Pledge of Allegiance was recited by those present.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to **approve the Agenda addition**. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the County** from the General, Road and Bridge, Health Care, TV Translator, Landfill, and Justice Center, payables for August 18, 2015 with a value of \$62,998.71. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Schedule of Bills for the Nursing Home** for August 18, 2015 with a value of \$7870.06. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Schedule of Bills for Pioneer Haven** for August 18, 2015 with a value of \$136.70. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **August 11, 2015 Minutes**. On roll call vote, all votes being yes, the motion passed.

Brenda Rhea, **Nursing Home Administrator**, reported there were 28 residents today. We are going to present financials in a different format.

Chris Packer, **County Administrator Report**:

- Request for Capital Purchase from Sheriff for inmate transportation van with payment to come out of Justice Center Fund.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve the **Request for Capital Purchase** from the **Washington County Justice Center** for a 2016 Dodge Caravan for transport. Cost is \$22,194 with trade and \$22,994 without. On roll call vote, all votes being yes, the motion passed.

- Do you want to pursue FEMA funds for employees that worked the flood at Messex? Packer said there were not enough hours on time sheets to backup compensation time. Commissioner Foy said the Tetsel Ditch may be available for funding.
- Do you want any changes in the way we send out Budget Requests for next year?
- Will be drilling for water at the Landfill. These are just water test wells.

8-12-55

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to **enter into Executive Session** at 10:55 a.m. to discuss Sheriff Personnel (24-6-402(4)(f)). On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to **close Executive Session** at 11:05 a.m. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to approve **short term disability** application for an employee of the Sheriff's Department. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Hart and duly seconded by Commissioner Foy to **reappoint Stan Laybourn to the Republican River Water Conservation District Board** for a three year term. On roll call vote, all votes being yes, the motion passed.

It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Liquor or 3.2 License Renewal Application for Kirk Supers Inc. d/b/a Anton Super**. On roll call vote, all votes being yes, the motion passed.

Val Foutz, **Zoning Official** presentation:

Resolution 98-2015 It was moved by Commissioner Foy and duly seconded by Commissioner Laybourn to adopt the following resolution; to wit

WHEREAS, an application for **Use By Special Review** was received from **Verizon Wireless** (Case Numbers SP15-03) for construction of a communications tower upon property owned by Fred Barton (the Barton Ranch) within unincorporated Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably at their regularly scheduled meeting on August 17, 2015 as submitted with no stipulations; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The Board hereby adopts the recommendation of the Planning Commission to approve with no conditions but the Board imposes the following conditions which applicant is deemed to accept by continuing the subdivision process.

DECISION

That the Use by Special Review Permit is approved subject to the following stipulations and or conditions precedent.

1. That applicant provides a final Mylar to the Board of County Commissioners that contains the following additions to the print tendered to the Planning Commission and the Board.
 - a. That the permit as herein approved shall require the actual construction of the tower within a reasonable time. This is a conditional use for a period of 5 years and if not constructed within 5 years of the date of this Resolution, the Use as herein granted shall expire. If the tower is no longer being used for its original purpose the applicant agrees to remove or repurpose it.
 - b. That applicant provide the final Mylar for execution within sixty (60) days of the date of this resolution.

2. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 18th day of August 2015, by Commissioner Foy who moved its adoption. The motion was seconded by Commissioner Laybourn and on roll call vote, all votes being yes, the resolution was adopted.

Resolution 99-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to adopt the following resolution; to wit

WHEREAS, an application for **Use By Special Review** was received from **Y-W Electric Association Inc.** (Case Numbers SP15-04) for construction of a microwave and voice communications tower upon property they are purchasing from Charles and Marla Baker within unincorporated Washington County; and

WHEREAS, the Washington County Planning Commission recommended such use favorably at their regularly scheduled meeting on August 17, 2015 as submitted with no stipulations; and

WHEREAS, the Board has considered this Use by Special Review application on this date, reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The property was properly posted pursuant to County requirements advertising the hearing at least 14 days prior to the hearing date. Therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.
2. The Board hereby adopts the recommendation of the Planning Commission to approve with no conditions but the Board imposes the following conditions which applicant is deemed to accept by continuing the subdivision process.

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 - b. That applicant provide the final Mylar for execution within sixty (60) days of the date of this resolution.
2. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 18th day of August 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

Resolution 100-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Exemption from Subdivision** (Case #EX15-04) for **Justin Imhof** as owner of a 160 acres in Section 33, Township 5 North, Range 49 West. The exemption will create a 3.02 acre parcel with existing buildings, well, septic, etc. from the aforementioned 160 acres. Said exemption was recommended favorably by the Planning Commission as submitted with no additional stipulations and conditions. The Board hereby approves said Exemption as recommended by the Planning Commission with no additional stipulations and / or conditions precedent except as herein noted and to wit:

1. The Board must receive the completed signed Mylar within 60 days of the date of this Resolution which completes the planning process.

This Resolution was presented at the meeting held on the 18th day of August 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.

Resolution 101-2015 It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Exemption from Subdivision** (Case #EX15-05) for **Joshua and Krystal Ballah** as purchasers of a 12 acre parcel in Section 21, Township 2 North, Range 50 West. Said exemption was recommended favorably by the Planning Commission subject to certain stipulations and conditions. The Board hereby approves said Exemption as recommended by the Planning Commission with no additional stipulations and / or conditions precedent except as hereinabove noted and to wit:

1. That in the event that a building permit is not approved by the Board then the following note be added to the final Mylar: "If a residence is built upon this property, the owner shall be required to obtain a building permit prior to construction".
2. That the final Mylar be re-titled as the "Ballah Subdivision Exemption Plat."
3. The Board must receive the completed signed Mylar within 60 days of the date of this Resolution which completes the planning process.

This Resolution was presented at the meeting held on the 18th day of August 2015, by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Foy and on roll call vote, all votes being yes, the resolution was adopted.


It was moved by Commissioner Laybourn and duly seconded by Commissioner Foy to approve the **Building Permit** (15-13) for **Joshua and Krystal Ballah** to build a house/shop on the NW1/4SW1/4-21-2N-50W. On roll call vote, all votes being yes, the motion passed.

The county commissioners sent a letter to Ms. LaRae Scott-Jennings, Program Manager College 1st Program (ASCENT), Denver Public Schools on behalf of Keisha Reim stating Washington County would respectfully ask that Keisha Reim be allowed to reenter the ASCENT program next year. Keisha Reim was injured in an accident and dropped from the ASCENT program.

Mike McCaleb, Emergency Manager said he and Jason Lockard, Road and Bridge Supervisor District 1 & 2 met with **FEMA** people August 17, 2015. McCaleb stated that they don't know if the Tetsel Ditch will qualify for anything from FEMA. McCaleb is gathering information to apply for FEMA funds to cover costs caused by the 2015 South Platte River.

Patty Denbo, Director of **ABC Development Center**, Annette Bowin and Holly Thompson, Board of Directors of ABC Development Center talked about having a difficult time staffing the Center. There are 70 children served by the Center. They are looking at doing a rate increase in rates and are comparing rates with those in the area. Home child care providers charge a higher rate. Bowin inquired about doing a fiscal sponsorship that would run benefits through Washington County. The benefits would be an incentive to get staffing. Bowin stated there is a new board of directors with different strengths and perspectives and they are committed to make the Center work. Denbo stated they are working on grants. The commissioners said they would take their request under advisement. Commissioner Laybourn applauded Denbo for her 20 years of service to the Center.

There being no further business the meeting was adjourned.


Garland Wahl, Clerk of the Board


Terry G. Hart, Chairman Board of County Commissioners